

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No. 3:20-CR-00021
)
ANMING HU)
)

MOTION TO DISMISS BECAUSE VOID FROM VAGUENESS
AND
TO DISMISS UNDER FED. RULE CRIM. PRO. 12(b) BASED ON
ENTRAPMENT BY ESTOPPEL
AND
REQUEST FOR A HEARING

The Defendant, Anming Hu (Prof. Hu) moves this Honorable Court to dismiss this case for the reasons set forth in the Brief in support of this Motion.

The two motions, along with ten (10) exhibits, are consolidated in the supporting brief because the facts supporting each motion are the same and the legal reasoning of both motions relies on the same set of facts and exhibits.

Professor Hu requests an Evidentiary Hearing on this Motion at the Court's earliest convenience. The Hearing is requested to verify, authenticate and explain the facts of this case and why the prosecution must cease.

Case law supports a pre-trial determination of the issues raised in this Motion and Judicial Economy and the rights of the Defendant also mandate a Hearing and resolution of these motions prior to Trial, in the Court's earliest convenience.

A pre-trial determination of either of these dispositive issues will allow the Defendant to avoid the tremendous burden and expense of criminal prosecution of an innocent man.

Respectfully submitted this 26th day of June, 2020.

s/A. Philip Lomonaco

A. Philip Lomonaco, BPR#011579
800 S. Gay Street, Suite 1950
Knoxville, TN 37929
(865) 521-7422
(865) 521-7433 fax
phillomonaco@gmail.com

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by U. S. Mail. Parties may access this filing through the Court's electronic filing system.

s/A. Philip Lomonaco